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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,088	03/22/2004	Mary R. Flack	225011	1687
45733 7590 12/04/2007 LEYDIG, VOIT & MAYER, LTD. TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731			EXAMINER ANDERSON, JAMES D	
			ART UNIT 1614	PAPER NUMBER
			MAIL DATE 12/04/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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10806088	3/22/2004	FLACK ET AL.	225011

LEYDIG, VOIT & MAYER, LTD.  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6731

**EXAMINER**

James D. Anderson

**ART UNIT****PAPER**

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20071127

**DATE MAILED:**

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**Commissioner for Patents**

Response to Reply Brief filed 11/21/2007:

Appellants' Reply Brief filed 11/21/2007 is noted and repeats arguments and reasoning set forth in the Appeal Brief filed 8/17/2007. Specifically, Appellants resubmit that the Examiner has erred in determining the scope and content of the prior art. The Examiner addressed this issue in the Examiner's Answer mailed 10/2/2007 (see especially page 8). For example, Appellants argue that Band (1989) would have taught one of ordinary skill in the art that (-)-gossypol "was so unselective and so toxic as to be unsafe in the treatment of cancer in humans" (Reply Brief, page 4). However, as noted in the Examiner's Answer at page 8, Band (1986) discloses that oral doses of gossypol are used as an effective male oral contraceptive with minimal side effects. Further, Band (1989) clearly states at page 276, right column that the lack of any reported in vivo side effects attributable to such [general antiproliferative] activity is suprising". Accordingly, the totality of the prior art clearly suggests that (-)-gossypol can be safely administered to human patients.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Anderson whose telephone number is 571-272-9038. The examiner can normally be reached on MON-FRI 9:00 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on 571-272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Ardin H. Marschel 11/30/07*  
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**Patent Examiner**  
**AU 1614**